



Paper No. 7

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COPY MAILED

APR 05 2004

In re Application of
Chen
Application No. 09/836,191
Filed: April 18, 2001
For: AIR CONDITIONER TEMPERATURE
EXCHANGER

OFFICE OF PETITIONS

ON PETITION

This decision concerns the March 26, 2004 petition under 37 CFR 1.137(b).

The petition is **DISMISSED**.

The application became abandoned on March 8, 2002 for failure to timely file a proper response to the December 7, 2001 non-final Office Action.

The instant petition, filed by Applicant, seeks to revive the application under 37 CFR 1.137(b).

A grantable petition under 37 CFR 1.137(b), in the instant case, must be accompanied by: (1) the required reply to the December 7, 2001 non-final Office Action; (2) the \$665 petition fee (small entity); and (3) a statement that the entire delay in filing the required reply from the due date until the filing of a grantable §1.137(b) petition was unintentional.

The petition lacks item (2), in that, a payment of only \$650 was submitted for paying the \$665 petition fee. The Office was unable to locate any authorization to charge the \$15 deficiency to a deposit account or a credit card. The petition is thus dismissed.

A renewed §1.137(b) petition must be:

- filed within **TWO MONTHS** of the mailing date of this decision;
- accompanied by the **\$15 petition fee deficiency**;¹ and

¹ Any information already filed with the instant petition should not be re-submitted.

should be addressed to:

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Finally, the power of attorney filed with the petition has been entered and made of record.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.



RC Tang
Petitions Attorney
Office of Petitions

Attachments: Notice Regarding Change of Power of Attorney (revoking prior powers of attorney)

Notice of Acceptance of Power of Attorney (accepting 3/26/04 Power of Attorney)